

by the N. K. Hurst Co. from Indianapolis, Ind.; and charging that it was adulterated in that it consisted in whole or in part of a filthy substance.

On January 9, 1943, the Crystal Sugar Co. of Cleveland, Ohio, claimant, having admitted the allegations of the libel, the court entered an order releasing the product under bond conditioned that it be shipped to the refinery and reconditioned so that it meet all requirements of the law.

DAIRY PRODUCTS

BUTTER

Nos. 4558 to 4574 report legal actions involving butter that contained mold or was low in milk fat. Nos. 4558 to 4565 were in part made from decomposed cream as evidenced by mold. In addition, Nos. 4561 to 4565 were also deficient in fat. Nos. 4566 to 4574 were low in fat.

4558. Adulteration of butter. U. S. v. 15 Cases of Butter. Default decree of condemnation and destruction. (F. D. C. No. 8094. Sample No. 9210-F.)

On July 18, 1942, the United States attorney for the Southern District of Alabama filed a libel against 15 cases, each containing 32 pounds, of butter at Mobile, Ala., alleging that the article was shipped in interstate commerce on or about July 7, 1942, by John Morrell & Co. from Bruce, Miss.; and charging that it was adulterated in that it consisted in whole or in part of a decomposed substance. The article was labeled in part: (Retail package) "Riverdale Brand Creamery Butter."

On February 4, 1943, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

4559. Adulteration of butter. U. S. v. 6 Boxes of Butter. Default decree of condemnation and destruction. (F. D. C. No. 8674. Sample No. 1547-F.)

On October 16, 1942, the United States attorney for the Northern District of Illinois filed a libel against 6 boxes, each containing 60 pounds, of butter at Chicago, Ill., alleging that the article had been shipped in interstate commerce on or about September 17, 1942, by the Blue River Creamery Co. from Hastings, Neb.; and charging that it was adulterated in that it consisted in whole or in part of a filthy or decomposed animal substance. The article was labeled in part: "Butter * * * L. D. Schreiber & Co. Inc. Distributors Chicago * * * Illinois."

On January 2, 1943, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

4560. Adulteration of butter. U. S. v. 9 Cases of Butter (and 8 additional seizure actions against butter). Decrees of condemnation: Portions of product ordered destroyed; portions ordered sold for non-food purposes; portions ordered delivered to rendering plants for use under instructions from the War Production Board and remainder ordered released under bond for rendering into butter oil. (F. D. C. Nos. 7597, 7973, 8285, 8515, 8520, 8586, 8624, 8665, 8928. Sample Nos. 83772-E, 91970-E, 1509-F; 4732-F, 9191-F, 9426-F, 9496-F, 9669-F, 9670-F, 17020-F, 18101-F.)

Portions of this article contained mold. The remainder contained insects, rodent hairs, mites, larvae, house flies, and human hair.

Between May 2 and October 20, 1942, the United States attorneys for the Eastern District of Louisiana, Northern District of Illinois, Southern District of Ohio, Western District of Louisiana, and Southern District of New York, filed libels against 16 cases of butter at Baton Rouge, La., 25 cases at New Orleans, La., 4 cases at Calumet City, Ill., 9 cases at Cincinnati, Ohio, 12 cases at Alexandria, La., 15 cases at Houma, La., 72 cartons and 19 tubs of butter at New York, N. Y., alleging that the article had been shipped in interstate commerce within the period from on or about June 18 to October 5, 1942, by Swift & Co., from Paris, Tex., Fort Worth, Tex., Conway, Ark., Marion, Ind., and Sioux City, Iowa; and charging that it was adulterated. The article was labeled in part: "Swift's Brookfield Butter," "Creamery Butter," "Cresta Creamery Butter," Alberly Brand * * * Packed For The Albers Super Markets, Inc. Cincinnati," "Glenwood Creamery Butter," or "Autin's Superior Brand Creamery Butter Autin Packing Co., Inc. Distributors, Houma, Louisiana."

A portion of the article was alleged to be adulterated in that it consisted in whole or in part of a decomposed substance. The remainder was alleged to be adulterated in that it consisted in whole or in part of a filthy, putrid, or decomposed substance.

On November 17, 1942, and May 17, 1943, Swift & Co. having appeared as claimant for the lots located at New York, N. Y., Houma, La., and one of the lots located at New Orleans, La., and having admitted the allegations of the libels and consented to the entry of decrees, judgments of condemnation were entered and the product was ordered released under bond for rendering into butter oil. Between July 2, 1942, and March 5, 1943, no claimant having appeared for the remainder of the product, judgments of condemnation were entered and portions were ordered destroyed, portions were ordered sold to the highest bidder to be used for purposes other than as food, and portions were ordered delivered to packing plants to be disposed of for war purposes, under instructions from the War Production Board.

4561. Adulteration of butter. U. S. v. 32 Pounds, 64 Pounds, 96 Pounds, and 160 Pounds of Butter. Default decrees of condemnation. Product ordered delivered to the War Production Board for war purposes. (F. D. C. Nos. 8236, 8237. Sample Nos. 21520-F, 21521-F.)

The product was high in mold and a portion was also deficient in milk fat.

On August 15, 1942 the United States attorney for the Western District of Pennsylvania filed libels against a total of 352 pounds of butter at Pittsburgh, Pa., alleging that the article had been shipped in interstate commerce within the period from on or about July 23 to August 6, 1942, by the Valley Creamery Co. from Sistersville, W. Va.; and charging that it was adulterated in that it consisted in whole or in part of a filthy or decomposed substance. A portion was alleged to be adulterated further in that a product containing less than 80 percent by weight of milk fat had been substituted for butter. The article was labeled in part: (Carton) "Valley Maid Brand Creamery Butter," or "Gold Bond Creamery Butter Armour Creameries. Distributors."

On September 24, 1942, no claimant having appeared, judgments of condemnation were entered and the product was ordered delivered to the War Production Board for war purposes.

4562. Adulteration of butter. U. S. v. 11 Cases of Butter (and 5 additional seizure actions against butter). Decrees of condemnation. Portion of product ordered destroyed; portion ordered released under bond to be manufactured into butter oil; and remainder ordered released under bond to be reworked. (F. D. C. Nos. 8081, 8232, 8519, 8666, 8704, 8945. Sample Nos. 9203-F, 9624-F, 9625-F, 10727-F, 10804-F, 11002-F, 15906-F, 15907-F.)

Portions of this product were deficient in milk fat and the remainder contained mold.

Between July 16 and November 13, 1942, the United States attorneys for the Southern District of Alabama, Western District of Oklahoma, and the Northern District of California filed libels against 15 cartons, each containing 32 1-pound prints, and 250 cartons, each containing 16 ½-pound prints, of butter at Mobile, Ala.; 21 68-pound cubes of butter at Elk City, Okla., 15 60-pound cubes, 18 63-pound cubes, and 24 68-pound cubes of butter at San Francisco, Calif., alleging that the article had been shipped in interstate commerce within the period from on or about June 28 to November 17, 1942, by the Armour Creameries from Meridian, Miss., Bismarck, N. Dak., Floydada, Tex., and Minnesota Transfer, Minn.; and charging that it was adulterated. Portions of the article were labeled in part: "Cloverbloom Butter."

The butter seized at Mobile was alleged to be adulterated in that it consisted in whole or in part of a putrid and decomposed substance. The butter seized at San Francisco was alleged to be adulterated in that a product containing less than 80 percent by weight of milk fat had been substituted for butter. The butter seized at Elk City contained mold and was low in milk fat.

On October 5 and December 11 and 24, 1942, Armour & Co., having appeared as claimant for the butter seized at San Francisco, judgments of condemnation were entered and the product was ordered released under bond conditioned that it be brought into conformity with the law under the supervision of the Food and Drug Administration.

On February 11, 1943, no claim having been entered for 11 cases of butter at Mobile, judgment of condemnation was entered and they were ordered destroyed. On November 23, 1942 and March 19, 1943, Armour & Co., having appeared as claimant for the remaining 254 cases seized at Mobile and the lot at Elk City, and having admitted the allegations of the libels and consented to the entry of decrees, judgments of condemnation were entered and the products were ordered released under bond for conversion into butter oil or other legal product.